



BANGOR DAILY NEWS

Instacart and Amazon workers strike as jobs get riskier

by **The Associated Press**

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GC Ex. 57

Gerald Bryson, left, join workers at an Amazon fulfillment center in Staten Island, N.Y., protesting conditions in the company's warehouse, Monday March 30, 2020, in New York. Workers say Amazon is not doing enough to to keep workers safe from the spread of COVID-19. "They say we going by CDC standards, but when we call the CDC they are not," said Bryson. "I got grand kids at home, I got kids, I am not doing it." Credit: Beбето Matthews | AP

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NEW YORK — Some Instacart and Amazon warehouse workers walked off the job Monday demanding greater safeguards against the coronavirus, even as both companies are speed-hiring hundreds of thousands of new workers to handle a surge in delivery orders.

The one-day strikes had little impact on consumers, but the unrest called attention to mounting discontent among low-wage workers who are on the front lines of the pandemic, serving the needs of those who can keep safe working from home. Whole Worker, a workers group for Whole Foods employees, is calling for a nationwide "sick out" on Wednesday.

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Many workers in high demand are part-time or contracted employees, lacking in benefits such as paid sick time off or health care. In addition to demands for more protection against coronavirus, workers are citing longstanding grievances over practices that keep wages low and part-time workers from getting more hours.

Online grocery-delivery service Instacart and Amazon say they are working to equip their workers with sanitation gear and have taken steps to increase pay and extend paid sick time. Instacart said Sunday that it would make hand sanitizer available to its workers upon request and

outlined changes to its tip system, but strikers said it was too little too late.

“They need to give us hazard pay right now and it should be guaranteed,” said Shanna Foster, a single mother who stopped working her Instacart gig two weeks ago out of fear of contracting the virus. “It wasn’t worth the risk.”

But a rush of hiring is likely to dilute any attempts by existing workers to organize walk-offs. Many people are applying for the new jobs as layoffs surge in restaurants, retail, hospitality, airports and other industries that have shut down. Nearly 3.3 million Americans applied for unemployment benefits last week, almost five times the previous record set in 1982.

While many Instacart workers said they would stop taking orders Monday, other, newer workers were reluctant to give up a source of income at a time of mass layoffs.

“I’m grateful to have some way to make money,” said Summer Cooper, 39, who started working as an Instacart shopper in the Tampa Bay, Florida, area recently after losing her position as a server at a hotel restaurant.

San Francisco-based Instacart said it is nearing its goal of hiring 300,000 more workers — more than doubling its workforce — to fulfill orders it says have surged by 150 percent over last year’s levels in the past weeks.

In the past week, Instacart said 250,000 people have signed up to work as full-service shoppers — “gig” workers who make multiple trips a day to groceries stores to get and deliver groceries that people order on its app. The company said about 50,000 of those workers have actually started shopping.

It said the strike had no impact on its operations Monday, with 40% more shoppers using its platform compared to the same day last week.

Instacart workers are demanding \$5 in hazard pay per order and a tip default on the app to at least 10 percent. The company instead announced Sunday that it would change the tip default to the amount last paid by the client, saying workers are seeing a surge in tips amid the pandemic.

Instacart is also giving 14 days of paid time off for any worker who is diagnosed with coronavirus, or is ordered to isolate, a policy it extended for another month last week. Strikers want that policy extended to any worker with a doctor's note verifying an underlying condition making them vulnerable to the virus.

Several Amazon workers, meanwhile, walked out of an Amazon warehouse, in Staten Island, New York, on Monday demanding the facility be shut and cleaned during a paid time off after a co-worker tested positive for the virus. About 100 workers were expected to attend the rally, but Amazon said the number was much lower.

Amazon said it has taken aggressive steps to safeguard its employees from the virus, including enhanced cleaning and sanitation and social distancing enforcement. At the Staten Island facility, which employs 4,500 people, Amazon implemented daily temperature screenings.

Whole Foods, which is owned by Amazon, also is offering a temporary \$2 raise in hourly wages and two weeks of paid time off for anyone who tests positive for coronavirus or who is quarantined.

But Whole Workers, the group calling for a strike Wednesday, said they want hazard pay, immediate shut down of stores if a worker tests positive and health care benefits for part-time and seasonal workers.

Amazon is hiring 100,000 workers, a mix of full-time and part-time positions and include delivery drivers and warehouse workers. Walmart, Dollar General and Pizza Hut and other companies are hiring thousands more, both to meet a surge in delivery order and more in-store demand for basics like cleaning supplies and toilet paper.

Andrew Challenger, a senior vice president of recruitment firm Challenger, Gray & Christmas, said he expected a lot of competition for the new jobs despite the new risks from the pandemic.

“There’s a tsunami of unemployed people who lost wages in the last two weeks. A lot of the people who have been let go are lower wage workers who left positions similar to the ones that need to be filled right now,” Challenger said.

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"It's not gonna stop me," Chris Smalls said. "I'm gonna continue to fight."

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By Paul Blest

March 31, 2020, 9:07am



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After he helped organize some of his fellow workers to walk out at an Amazon warehouse on Staten Island over coronavirus-related safety concerns, Chris Smalls was fired from his job. Amazon says he violated a company order to self-quarantine and put his fellow workers at risk of contracting the coronavirus; he says it's retaliation.

"It's a shame on them," Smalls told VICE News. "This is a proven fact of why they don't care about their employees, to fire someone after five years for sticking up for people and trying to give them a voice."

Amazon says that they fired Smalls for "violating social distancing guidelines and putting the safety of others at risk."

Case 1:22-cv-01479-DG-SJB Document 5-5 Filed 03/17/22 Page 7 of 9 PageID #: 3650
"He never found out he had had close contact with a diagnosed associate with a confirmed case of COVID-19 and was asked to remain home with pay for 14 days, which is a measure we're taking at sites around the world," Amazon said in a statement provided to VICE News. "Despite that instruction to stay home with pay, he came onsite today, March 30, further putting the teams at risk. This is unacceptable and we have terminated his employment as a result of these multiple safety issues."

Amazon has publicly confirmed that two workers at the JFK8 warehouse have tested positive for coronavirus, though Smalls told VICE News Monday that he believes several more workers have contracted the illness than Amazon is publicly confirming. Smalls told VICE News Monday that workers were walking off the job in an effort to force Amazon to shut down the facility and sanitize it, with full pay for workers while the facility was closed.

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Smalls disputed the order to self-quarantine, and said that when he was ordered to go home last Saturday, it was never made clear to him when the quarantine order was supposed to have started. Amazon said earlier this month that the first worker who tested positive last reported to work on March 11, nearly three weeks ago, according to Motherboard.

"You put me on quarantine for coming into contact with somebody, but I was around [my co-worker] for less than five minutes," he told VICE News. "[The co-worker] was with my associates for ten-plus hours a week, I've been communicating with [management] all week but no one else was put on quarantine." (Amazon did not immediately respond to an email Tuesday morning asking how many people at the site have been ordered into self-quarantine.)

The company confirmed that no one else was fired Monday, and said that no one would be let go or be disciplined for participating in the action. Still, the decision to fire Smalls drew rebuke from Athena, a coalition of progressive social and economic justice groups working to counter Amazon's outsized influence on the economy and public policy.

"Chris, along with many of his colleagues in New York and around the country, have dared to tell the truth about the dangerous conditions at Amazon facilities," the directors of Athena, Make the Road NY, and New York Communities for Change said in a joint statement. "We can only conclude that instead of listening to the people who are actually risking their lives on the front lines, Amazon would rather they just shut up about Amazon working conditions, which are now a national public health concern."

Aside from the fact that he was fired yesterday, Amazon and Smalls don't agree on much. Following the publication of a story on the walkout yesterday, Amazon contacted VICE News to dispute both the size of the protest and Smalls' job title and role. The company said Smalls wasn't an assistant manager and didn't supervise employees, both of which Smalls disputed. (In other media reports, Smalls has also been described as a "process assistant" and a "manager assistant.")

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And while the organizers said over 60 workers walked off the job at the JFK8 warehouse Monday, Amazon said just 15 walked off – "less than half a percent of associates" who work at the 5,000-plus employee warehouse, the company said in a statement. The company also claimed that any additional workers

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“They have no idea what they’re talking about. They spin stuff, they lie, they downplay, I’m not a manager all of a sudden; I’m an hourly associate,” Smalls told VICE News. “That’s what they do to the press. They tell y’all bunch of lies and everything. It is what it is.”

On Monday night, Smalls got some powerful backup: New York Attorney General Tish James tweeted her support for him, said she was “considering all legal options,” and called on the National Labor Relations Board to investigate.

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Though he said he expected to be fired after the leading role he played in the walkout, Smalls said he plans to pursue action against the company for his dismissal. “It’s a no brainer. Anyone can see this is a direct target,” he said.

“It’s not gonna stop me,” Smalls added. “I’m gonna continue to fight.”

Cover: Gerald Bryson, left, join workers at an Amazon fulfillment center in Staten Island, N.Y., protesting conditions in the company's warehouse, Monday, March 30, 2020, in New York. Workers say Amazon is not doing enough to to keep workers safe from the spread of COVID-19. (AP Photo/Bebeto Matthews)

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